

The claims are rejected under 35 USC § 112, first paragraph, as containing subject matter not described in the specification.

Claims 29, 44, 49, 51, 62, and 67 are amended to conform to the language "statistical model". This language is derived from at least claim 60 of the application, and is quite similar to claim 67 in formulation. It is therefore respectfully submitted that these amendments do not raise new issues in the Examination, and are presented herein to narrow the issues and bring prosecution on the merits to a close.

The "statistical model" is supported in the specification on page 28, line 6, as well as elsewhere within the specification. It is therefore respectfully submitted that the amendments do not insert new matter into the application, and moot the present rejection.

Claims 29-73 are rejected as being obvious over Shepley in view of Balintfy, and/or Williams III, Ecer, MacGregor under 35 U.S.C. § 103.

Applicant has previously provided suitable and accepted definitions for "statistical". That is, probability theory is employed in the interpretation of quantitative data to estimate population parameters. None of the applied references relates to any use of probability theory. It is also noted that none of the cited references (with the exception noted below) deals at all with probability, statistics, models, or likelihoods. The one exception is that Ecer, Col. 7, lines 24-28 states "This way consumer's personalized smart card 12 always contains the latest statistical (historical) averages of dietary nutrient consumption which is updated at the next food or drink purchase, may it be at a supermarket, food market, or a restaurant." It is respectfully submitted that this passage does not teach or suggest the present invention in any way.

A model is, by definition, a simulation of a real-life situation or object which is realistic enough to provide a good picture of that situation or object, but which is simpler to work with

than with the real thing you're modeling. Typically, a "good picture" is one where the error produced by relying on the model does not exceed an acceptable margin. One standard for "simpler" is that the model has fewer degrees of freedom than the physical reality. As noted by the Examiner, a model may also comprise a set of rules, physical structure (which is "simpler to work with", e.g., smaller) or collection of data (which is presumably truncated from a comprehensive data set, and therefore less massive). It is not clear which aspect of the references is relied upon by the Examiner to represent a "model".

The Examiner is incorrect that a **statistical model** is "simply a collection of data". This interpretation ignores the plain meaning of the words, as well as their use in context. Unless the collection of data is representative of a physical system (i.e., is a model), and is derived from, or applied using, probability theory (i.e., is statistical), it does not meet the plain meaning of the claim language. An interpretation of the claim language must give weight to each term.

It is therefore respectfully submitted that the present claims are not taught or suggested by the prior art, and the application is therefore allowable. A Notice of Allowance is respectfully solicited.

Respectfully submitted,

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29. A method for presenting records to a user, comprising the steps of:

(a) receiving an input from the user;

(b) defining a subset of records selected from an electronic database containing a set of records, based on a classification of information within a respective record and the user input;

(c) determining a likelihood statistical model associated with a respective record;

(d) determining economic parameters associated with the subset of records; and

(e) presenting the subset of records jointly optimized based on the determined economic parameters, and a the statistical likelihood model associated with the selected record.

44. A method for presenting records to a user, comprising the steps of:

(a) determining a user relevance parameter;

(b) defining a set of records from an electronic database based on a classification of the information therewithin and the user relevance parameter;

(c) determining a statistical likelihood model relating to the set of records and the determined user relevance parameter;

(d) determining economic parameters for defined records; and

(d) presenting the set of records optimized based on both the determined economic parameters and the determined statistical likelihood model.

49. The method according to claim 44, wherein said presenting step comprises outputting a sorted list of the set of records having an order dependent on the determined economic parameters and the determined statistical likelihood model.

51. The method according to claim 44, further comprising the steps of determining a risk tolerance of the user said determined statistical ~~likelihood~~ model comprising the determined risk tolerance.

59. A method for outputting a set of records, comprising the steps of:

- (a) receiving a specification for a class of information having a plurality of records, said plurality of records having associated economic parameters;
- (b) determining a ~~likelihood~~ statistical model associated with records within the class of information and the received specification; and
- (c) jointly optimizing a presentation of the records based on both the economic parameters and the determined ~~likelihood~~ statistical model.

60. The method according to claim 59, wherein ~~the~~ a likelihood is determined by ~~a~~ the statistical model.

62. The method according to claim 59, further comprising the steps of providing a plurality of relevance profiles, and selecting a relevance profile to define the ~~likelihood~~ statistical model.

67. A method of producing a ranked set of results for a user inquiry, comprising the steps of:

- (a) receiving an inquiry from the user;

- (b) producing a set of responses to the inquiry, at least one response having an associated economic parameter; and
- (c) optimally ranking the set of responses using a statistical likelihood model based on the user inquiry, a content of each of the set of responses, and the economic parameter.